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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/792,031	03/02/2004	Kenneth C. Kennedy II	10000/303

00757
 BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60610



CONFIRMATION NO. 1370

FORMALITIES LETTER



OC000000012747379

Date Mailed: 05/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/27/2004 BABRAHA1 00000086 10792031

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1202	216.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$216** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1116** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$216**
 - **\$216** for 12 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

B.H.
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: 7-22-04 Name: Michael E. Milz Signature: Michael E. Milz

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kennedy, II et al.

Appln. No.: 10/792,031

Filed: March 2, 2004

For: NON-BUCKLING BALLOON CATHETER

Attorney Docket No: 10000/303

Examiner: TBA

Art Unit: 3763

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- Response to Notice to File Missing Parts (in dup.); Declaration; Power of Attorney; copy of Notice to File Missing Parts; check for \$1,116.00; Recordation of Assignment (in dup.); Assignment document; check for \$40.00; Information Disclosure Statement (in dup.) and Form PTO-1449
 Return Receipt Postcard

Fee calculation:

- No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____.)
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x 43=		x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=		+\$ 290=	
					Total	\$	Total	\$

Fee payment:

- A check in the amount of \$1,116.00 and \$40.00 is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Michael E. Milz
Michael E. Milz (Reg. No. 34,880)

Date
7-22-04



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on 7-22-04

Date of Deposit

Michael E. Milz

Name of applicant, assignee or
Registered Representative



Signature

7-22-04

Date of Signature

Case No. 10000/303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenney, II et al.

Serial No.: 10/792,031

Attention: Manager,
Application Branch

Filed: March 2, 2004

For: NON-BUCKLING
BALLOON CATHETER

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn.: Mail Stop Missing Parts

Dear Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated May 24, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

- Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.
- Applicant:

- claims small entity status. See 37 CFR1.27.
- is other than small entity
- Checks totaling \$1116.00 for:
 - Filing Fee of \$770.
 - Surcharge of \$130.
 - Additional Claim Fees of \$216.
- Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- Other: _____.
- The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated:

7-22-04



Michael E. Milz
Registration No. 34,880
Attorney for Applicant(s)

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